

Message Text

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ACTION L-03

INFO OCT-01 ARA-14 ISO-00 DLOS-09 INT-05 OES-07
CIAE-00 INR-07 NSAE-00 EB-08 COME-00 TRSE-00 PA-02
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FM AMEMBASSY SANTO DOMINGO
TO SECSTATE WASHDC 3275
INFO AMEMBASSY BOGOTA

UNCLAS SECTION 1 OF 2 SANTO DOMINGO 0322

E.O. 11652: N/A
TAGS: EFIS, PLOS, PBOR
SUBJECT: COLOMBIAN-DOMINICAN MARITIME BOUNDARY-FISHERYAGREEMENT

REF: STATE 6102

1. ON JANUARY 13, COLOMBIAN MINISTER OF FOREIGN RELATIONS
LIEVANO AND DOMINICAN SECSTATE FOR FOREIGN RELATIONS JIMENEZ
SIGNED "AGREEMENT ON THE DELINEATION OF MARINE AND SUBMARINE
AREAS AND MARITIME COOPERATION BETWEEN THE DOMINICAN REPUBLIC
AND THE REPUBLIC OF COLOMBIA". TEXT FOLLOWS (EMB TRANSLATION):
QUOTE:

AGREEMENT ON THE DECLARATION OF MARINE AND SUBMARINE AREAS
AND MARITIME COOPERATION BETWEEN THE DOMINICAN REPUBLIC AND
THE REPUBLIC OF COLOMBIA

THE GOVERNMENTS OF THE DOMINICAN REPUBLIC AND OF THE REPUBLIC
OF COLOMBIA, CONSCIOUS OF THE CORDIAL FRIENDSHIP PREVAILING IN
THE RELATIONS BETWEEN THE TWO COUNTRIES, AND CONSIDERING:
THAT IT IS THEIR OBLIGATION TO SAFEGUARD FOR THEIR PEOPLE
THE NATURAL RESOURCES, BOTH RENEWABLE AND NON-RENEWABLE,
THAT ARE FOUND IN THE MARINE AND SUBMARINE AREAS UNDER
THEIR SOVEREIGNTY AND JURISDICTION;
THAT THEIR COMMON INTERESTS IN THE CARIBBEAN REGION MAKE
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IT INDISPENSABLE TO ESTABLISH THE CLOSEST COOPERATION IN
ORDER TO TAKE ADEQUATE STEPS FOR THE PRESERVATION,
CONSERVATION AND RETIONAL UTILIZATION OF THE EXISTING
RESOURCES IN THE AFOREMENTIONED MARITIME AREAS;
THAT IT IS NECESSARY TO COOPERATE IN THE SCIENTIFIC
INVESTIGATION OF THE LIVE RESOURCES IN ZONES FREQUENTED
BY SPECIFIC MIGRATORY SPECIES;

THAT IT IS CONVENIENT TO DELINEATE THEIR RESPECTIVE
MARINE AND SUBMARINE AREAS;
TO WHICH END THEY HAVE DESIGNATED THE FOLLOWING AS
THEIR PLENIPOTENTIARIES:
HIS EXCELLENCY, THE PRESIDENT OF THE DOMINICAN REPUBLIC,
VICE ADMIRAL RAMON EMILIO JIMENEZ HIJO, SECRETARY OF STATE
FOR FOREIGN RELATIONS;
HIS EXCELLENCY, PRESIDENT OF THE REPUBLIC OF COLOMBIA,
DOCTOR INDALECIO LIEVANO AGUIRRE, MINISTER OF FOREIGN
RELATIONS;
WHO, HAVING INFORMED ONE ANOTHER OF THEIR PLENARY POWERS,
AND HAVING FOUND THEM IN ORDER, HAVE AGREED TO THE
FOLLOWING:

ARTICLE I

THE DELINEATION OF THE MARINE AND SUBMARINE AREAS THAT
CORRESPOND TO EACH OF THE TWO COUNTRIES SHALL BE EFFECTED,
IN GENERAL PRACTICE, BY USING THE PRINCIPLE OF THE MEDIAN
LINE WHOSE POINTS ARE ALL EQUIDISTANT FROM THE CLOSEST
POINTS OF THE BASE LINES WHENCE THE EXTENSION OF THE
TERRITORIAL SEA OF EACH STATE IS MEASURED.

ARTICLE II

IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED IN THE
FOREGOING ARTICLE, THE DELINEATION SHALL BE CONSTITUTED
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BY A LINE WHICH, DRAWN FROM A POINT WHOSE GEOGRAPHICAL
POSITION IS IN LATITUDE 15 DEGREES, 2 MINUTES, 00 SECONDS
NORTH AND LONGITUDE 73 DEGREES, 27 MINUTES, 30 SECONDS
WEST, RUNS THROUGH A POINT LOCATED IN LATITUDE 15 DEGREES,
00 MINUTES, 40 SECONDS NORTH AND LONGITUDE 71 DEGREES,
40 MINUTES, 30 SECONDS WEST, TO ANOTHER POINT LOCATED IN
LATITUDE 15 DEGREES, 18 MINUTES, 00 SECONDS NORTH AND
LONGITUDE 69 DEGREES, 29 MINUTES, 30 SECONDS WEST, TO
WHERE DELINEATION MUST BE EFFECTED WITH A THIRD STATE.

PARAGRAPH:

THE LINE AND THE POINTS AGREED UPON ARE SHOWN IN NAUTICAL
MAP NO. 25000, OF THE DEFENSE MAPPING AGENCY OF THE UNITED
STATES OF AMERICA WHICH IS ATTACHED TO THIS AGREEMENT, DULY
SIGNED BY THE PLENIPOTENTIARIES.

ARTICLE III

TO ESTABLISH A COMMON SCIENTIFIC INVESTIGATION AND
FISHERY EXPLOITATION ZONE (ZICEFC) WHICH WILL BE INCLUDED
BETWEEN FOUR STRAIGHT LINES DRAWN BETWEEN THE FOLLOWING
POINTS, EACH ONE OF WHICH IS LOCATED AT A DISTANCE OF 20

NAUTICAL MILES FROM THE LINE THAT CONSISTUTES THE MARITIME
LIMIT BETWEEN THE TWO COUNTRIES:

STRAIGHT LINE A: BETWEEN POINT 1 (LATITUDE 15 DEGREES,
22 MINUTES, 00 SECONDS NORTH LONGITUDE
73 DEGREES, 19 MINUTES, 30 SECONDS WEST)
AND POINT 2 (LATITUDE 14 DEGREES, 42
MINUTES, 00 SECONDS NORTH AND LONGITUDE
73 DEGREES, 20 MINUTES, 30 SECONDS WEST).

STRAIGHT LINE B: BETWEEN POINT 2 (LATITUDE 14 DEGREES,
42 MINUTES, 00 SECONDS NORTH LONGITUDE
73 DEGREES, 20 MINUTES, 30 SECONDS WEST)
AND POINT 3 (LATITUDE 14 DEGREES, 40
MINUTES, 30 SECONDS NORTH LONGITUDE

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71 DEGREES, 40 MINUTES, 30 SECONDS WEST.)

STRAIGHT LINE C: BETWEEN POINT 3 (LATITUDE 14 DEGREES,
40 MINUTES, 30 SECONDS NORTH LONGITUDE
71 DEGREES, 40 MINUTES, 30 SECONDS WEST)
AND POINT 4 (LATITUDE 15 DEGREES, 20
MINUTES, 00 SECONDS NORTH LONGITUDE 71
DEGREES, 40 MINUTES, 00 SECONDS WEST).

STRAIGHT LINE D: BETWEEN POINT 4 (LATITUDE 15 DEGREES,
20 MINUTES, 00 SECONDS NORTH LONGITUDE
71 DEGREES, 40 MINUTES, 00 SECONDS WEST)
AND POINT 1 (LATITUDE 15 DEGREES, 22 MINUTES,
00 SECONDS NORTH LONGITUDE 73 DEGREES, 19
MINUTES, 30 SECONDS WEST).

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-----043437 181504Z /53
R 181315Z JAN 78

FM AMEMBASSY SANTO DOMINGO
TO SECSTATE WASHDC 3276
INFO AMEMBASSY BOGOTA

UNCLAS SECTION 2 OF 2 SANTO DOMINGO 0322

IN THE AREA UNDER ITS SOVEREIGNTY AND JURISDICTION WITHIN
THE ZONE MENTIONED ABOVE, EACH OF THE TWO COUNTRIES UNDERTAKES
TO TAKE THE FOLLOWING MEASURES:

A) TO ALLOW NATIONALS FROM THE OTHER STATE TO CARRY OUT
FISHING ACTIVITIES (FAENAS), PROVIDED THEY ARE
EFFECTED IN A RATIONAL MANNER AND IN ACCORDANCE
WITH THE REGULATIONS OF THE COUNTRY TO WHICH THE
AREA IN WHICH SUCH ACTIVITIES ARE UNDERTAKEN CORRESPONDS.

B) TO PROVIDE THE OTHER PARTY WITH THE RESULTS OF THE
INVESTIGATIONS ON LIVE RESOURCES UNDERTAKEN IN SUCH
AREA, PARTICULARLY CONCERNING THE TUNA FAMILY (TUNIDOS)
AND OTHER MIGRATORY SPECIES.

C) TO COORDINATE AND UNDERTAKE WITH THE OTHER PARTY
THE SCIENTIFIC INVESTIGATION ACTIVITIES ARRIVED AT
BY MUTUAL AGREEMENT.

D) TO PROVIDE THE OTHER PARTY PERIODICALLY WITH
INFORMATION ON THE TYPE AND QUANTITY OF THE CATCH
(PESCA OBTENIDA) OBTAINED IN THE AREA.

E) TO ESTABLISH CLOSE COOPERATION IN WATCHFULNESS OVER
THE ZONE TO PREVENT NATIONALS FROM THIRD PARTY STATES
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FROM ENGAGING IN UNAUTHORIZED FISHING ACTIVITIES THEREIN.

PARAGRAPH:

THE COMMON SCIENTIFIC INVESTIGATION AND FISHING EXPLOITATION
ZONE ESTABLISHED IN THIS AGREEMENT, INCLUDING THE
REGIME ADOPTED THEREFORE, MAY BE MODIFIED BY AN AGREEMENT
BETWEEN THE PARTIES, OR CANCELLED ON THE INITIATIVE OF
EITHER OF THEM, BY A WRITTEN NOTICE TO THE MINISTRY OF
FOREIGN RELATIONS OF THE OTHER STATE 90 DAYS IN ADVANCE.

ARTICLE IV

TO COOPERATE MUTUALLY, AS FAR AS POSSIBLE, IN ORDER TO
CONTROL, REDUCE AND AVOID ANY POLLUTION OF THE MARINE
MEDIUM THAT MAY AFFECT THE NEIGHBORING STATE.
THEY ALSO AGREE TO WORK IN COMMON ACCORD IN CASES WHERE
ACCIDENTS MAY OCCUR INVOLVING TANKERS, SHIPS AND AIRCRAFT

IN THE MARITIME AREAS OF ONE OF THE TWO COUNTRIES, AND
WHERE THE RESULTING POLLUTION MAY THREATEN THE OTHER STATE.

ARTICLE V

TO COORDINATE AS FAR AS POSSIBLE THOSE MEASURES OF
CONSERVATION THAT EACH PARTY APPLIES ITS MARINE AND
SUBMARINE AREAS, PARTICULARLY FOR THOSE SPECIES WHICH
STRAY (SE DESPLACEN) FROM THEIR RESPECTIVE MARITIME
ZONES, TAKING INTO CONSIDERATION THE MOST RECENT AND
ACCURATE SCIENTIFIC DATA. SUCH COOPERATION WILL NOT
AFFECT THE SOVEREIGN RIGHT OF EACH STATE TO ADOPT,
WITHIN THE LIMITS OF ITS RESPECTIVE JURISDICTION, THE
RULES AND REGULATIONS THAT EACH DEEM PERTINENT.

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ARTICLE VI

THE PARTIES WILL TRY TO RESOLVE ANY DIFFERENCES THAT MAY
ARISE IN THE INTERPRETATION OR DURING THE APPLICATION OF
THIS AGREEMENT BY DIPLOMATIC MEANS BEFORE USING OTHER
PEACEFUL MEANS OF SOLUTION RECOGNIZED BY INTERNATIONAL LAW.

THIS AGREEMENT WILL COME INTO FORCE ON THE DATE OF THE
EXCHANGE OF THE RESPECTIVE RATIFICATION INSTRUMENTS, WHICH
WILL TAKE PLACE IN THE CITY OF BOGOTA.
IN WITNESS WHEREOF THE PLENIPOTENTIARIES SIGN THIS AGREEMENT
IN TWO ORIGINALS, THE TEXT OF WHICH SHALL BE IDENTICAL.
DONE IN THE CITY OF SANTO DOMINGO ON THE 13 DAY OF JANUARY,
NINETEEN HUNDRED AND SEVENTY EIGHT.

FOR THE GOVERNMENT OF THE FOR THE GOVERNMENT OF THE
DOMINICAN REPUBLIC REPUBLIC OF COLOMBIA

R. EMILIO JIMENEZ HIJO IDALECIO LIEVANO AGUIRRE,
VICE ADMIRAL MINISTER OF FOREIGN
SECRETARY OF STATE FOR FOREIGN RELATIONS OF COLOMBIA
RELATIONS

END QUOTE.
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